

**EXHIBIT 13**

150-11

Before the  
Federal Communications Commission  
Washington, D. C. 20554

FCC 87M-2171

4618

In re Applications of	)	MM DOCKET NO. 87-178
BELFRY BROADCASTING COMPANY, INC.	)	File No. BPH-851211ME
GROVE CITY BROADCASTING GROUP	)	File No. BPH-851213MF
EARL T. BROWN	)	File No. BPH-851213MG
FM GROVE CITY LIMITED PARTNERSHIP	)	File No. BPH-851216MS
DON H. BARDEN	)	File No. BPH-851216MT
JOHN M. McKINLEY d/b/a	)	
OHIO BROADCAST SERVICES	)	File No. BPH-851216MU
VIDEO SERVICES BROADCASTING CORPORATION	)	File No. BPH-851216MV
JOANNE ROACH	)	File No. BPH-851216MW
SAUNDERS BROADCASTING, INC.	)	File No. BPH-851216MZ
For Construction Permit	)	
for a New FM Station in	)	
Grove City, Ohio	)	

ORDER

Issued: September 10, 1987 Released: September 11, 1987

To determine whether FM Grove City Limited Partnership has sufficient net liquid assets available to construct and operate its proposed station in view of the other broadcast construction and operation financial commitments of its limited partner, FM America Corporation;

To determine, in light of the evidence adduced under the preceding issue, whether FM Grove City Limited Partnership misrepresented facts or lacked candor in certifying its financial abilities to construct and operate the proposed station; and

To determine, in light of the determination of the preceding issues, whether FM Grove City Limited Partnership possesses the requisite financial and basic qualifications to be a Commission licensee.

IT IS FURTHER ORDERED, That the burdens of proceeding and proof on the added issues ARE PLACED on FM Grove City Limited Partnership. 2/

IT IS FURTHER ORDERED, That the "Consolidated Motion For Protective Order" filed August 24, 1987 by FM Grove City Limited Partnership IS GRANTED to the extent indicated and otherwise DENIED.

IT IS FURTHER ORDERED, That the "Motion For Protective Order" filed August 12, 1987 by Don H. Barden IS GRANTED to the extent

December 28, 1987

Exchange of written direct cases. 3/

January 4, 1988

Notification of witnesses for cross examination.

January 11, 1988

Commencement of the hearing at 10:00 a.m. in the Commission's Washington, D.C. offices.

FEDERAL COMMUNICATIONS COMMISSION

*Joseph Chachkin*

Joseph Chachkin  
Administrative Law Judge

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3/ All exhibits will be assembled in a binder with each exhibit bearing a number, with a tab on each document. The documents will be serially numbered starting with the number 1. A prefix will be used to indicate the party sponsoring the exhibits. Each exhibit will be separately paginated. Each written exhibit must be accompanied by the affidavit of a sponsoring witness.

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1 will expect you to fulfill that request. You know, be treated

2 as a party until the matter is finally determined in

1 partner is the party on whose financial resources the  
2 applicant intends to depend.

3 I also note, however, that the petition fails  
4 to include an affidavit from a principal of the applicant  
5 indicating that in fact it doesn't intend to rely on  
6 the limited partner for its financial resources. which

**EXHIBIT 14**



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REDDY, BEGLEY & MARTIN

MAR 12 1987

Addressed to \_\_\_\_\_

Handled by \_\_\_\_\_

Before the  
Federal Communications Commission  
Washington, D. C. 20554

FCC 87M-512  
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In re Applications of	)	MM Docket No. 86-468
LEONARD JAMES GIACONE	)	File No. BPH-860116MI
MINORITY BROADCASTING CORPORATION	)	File No. BPH-860122MK
GORDON L. BOSTIC, et al., d/b/a	)	
BOSTIC BROADCASTING	)	File No. BPH-860123MY
RADIO LAUREL, LTD.	)	File No. BPH-860123MZ
FM LAUREL, INC.	)	File No. BPH-860123NE
For Construction Permit	)	
for a New FM Station	)	
Laurel, Mississippi	)	

MEMORANDUM OPINION AND ORDER

Issued: March 5, 1987      Released: March 9, 1987

1. Under consideration are "Motion To Enlarge Issues" filed January 22, 1987 by Leonard James Giacone (Giacone), Opposition To Petition To Enlarge Issues filed February 18, 1987 by Radio Laurel, Ltd. (Radio Laurel), and Reply To Opposition To Petition To Enlarge Issues filed February 27, 1987 by Giacone.

2. Giacone seeks the addition of misrepresentation and financial qualification issues against Radio Laurel. The issues will be added.

3. Radio Laurel is a limited partnership consisting of Lula Cooley, General Partner (10%), Wilbur O. Colom, Limited Partner (45%), and James Y. Becker (45%). Colom and Becker own 60 - 90% of six pending FM applications. In addition, Colom owns 33 - 45% of three pending television applications and two unbuilt television construction permits. <sup>1/</sup> Funding for the construction and initial operation of the proposed Laurel station will come from Colom and Becker.

<sup>1/</sup> Giacone also notes that Colom held similar interests in three other television applications, which while now dismissed were pending at times relevant with respect to the applications currently in question.

4. As noted by Giacone, given the number of broadcast applications involving Colom and Becker and the costs of construction and operation associated therewith, a substantial question is raised whether Radio Laurel has sufficient net liquid assets available from committed sources for construction and operation of the proposed station in addition to the funds needed for the other broadcast facilities applied for. George Edward Gunter, 104 FCC 2d 1363, 1367 (Rev. Bd. 1986). Radio Laurel has not provided any documentation which would moot the need for further inquiry. In her statement appended to Radio Laurel's opposition, Cooley asserts that she has reviewed the personal financial statements of Colom and Becker. However, as Giacone notes, her statement is conspicuously silent as to whether she has considered or is even aware of the financial requirements attendant to the numerous other applications to which Colom and Becker are a party. Finally, as also noted by Giacone, a substantial question is raised as to whether there existed at the time of certification or as of this date a written commitment by Colom and Becker to provide funds to Radio Laurel. The requested issues are warranted and will be added.

Accordingly, IT IS ORDERED, That the "Motion To Enlarge Issues" filed January 22, 1987 by Leonard J. Giacone IS GRANTED and the following issues ARE ADDED:

To determine whether Radio Laurel, Ltd. has sufficient net liquid assets available to construct and operate its proposed station in view of the other broadcast construction and operation financial commitments of its principals; and

To determine in light of the evidence adduced under the preceding issue, whether Radio Laurel, Ltd. misrepresented facts or lacked candor in certifying its financial abilities to construct and operate the proposed station; and

To determine, in light of the evidence adduced under the preceding issues, whether Radio Laurel, Ltd. possesses the requisite financial and basic qualifications to be a Commission licensee.

IT IS FURTHER ORDERED, That because the information necessary to resolve these issues are peculiarly within the knowledge of Radio Laurel, Ltd., the burden of proceeding and burden of proof on the added issues WILL BE on Radio Laurel, Ltd. 2/ 3/

FEDERAL COMMUNICATIONS COMMISSION



Joseph Chachkin  
Administrative Law Judge

2/ Radio Laurel may present oral testimony as well as written evidence under the added issues. If it intends to submit oral testimony, the names of persons to testify orally and a brief summary of their testimony are to be provided, and such statements shall be filed on April 13, 1987, the presently scheduled exchange date.

3/ Any discovery on the added issues shall be commenced within ten (10) days after release of this Order.

CERTIFICATE OF SERVICE

I, Barbara P. Taylor, a secretary in the law offices of Baraff, Koerner, Olender & Hochberg, P.C., do hereby certify that a true and correct copy of the foregoing "First Petition to Enlarge Issues Against Positive Alternative Radio, Inc." on behalf of Triad Family Network, Inc., has been sent by prepaid United States mail, first class, on this 8th day of April, 1993 to the following:

The Honorable Joseph P. Gonzalez\*  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W., Room 221  
Washington, D.C. 20554

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Barbara P. Taylor

\*Via Hand Delivery